



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912

August 9, 2010

Douglas H. Watts
131 Cony Street
Augusta, ME 04330

Dear Mr. Watts:

Regional Administrator Spalding has asked me to respond to your letter of July 4, 2010, requesting that EPA review a law (12 MRSA § 6134) passed by the Maine Legislature in 1995 and amended in 2008 to determine if it is in compliance with the Clean Water Act. The 1995 law resulted in closure of alewife fish passages at the Woodland and Grand Falls dams on the St. Croix River. The 2008 law reaffirmed the closure of alewife fish passage at Grand Falls dam and re-opened alewife fish passage at the Woodland Dam.

Your letter has identified a number of important concerns related to activities that have had substantial adverse effects on the anadromous alewife population in the St. Croix River. Many of these concerns have also been brought to the attention of the International St. Croix River Watershed Board ("the Board") of the International Joint Commission, which is now considering the adoption of a management plan that would restore a self-sustaining alewife population to the river, albeit not throughout the entire river. The Board is currently taking public comment on a draft plan developed by the inter-agency St. Croix Fisheries Steering Committee. EPA Region I is in the process of evaluating the Clean Water Act issues raised in your letter and is also closely following the Board's process. We intend to respond to your letter more specifically in the near future.

We appreciate your interest in this matter. Please contact Ellen Weitzler at 617-918-1582 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen Silva", is written over a horizontal line.

Stephen Silva
Office of Ecosystem Protection

cc: Susan Davies, Maine Department of Environmental Protection
David Courtemanch, Maine Department of Environmental Protection